

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Case No. 2:18-cv-01948-EJY

ORDER

NATHAN LEFTENANT, ARNETT
LEFTENANT, JERYL BRIGHT, GREGORY
JOHNSON, and THOMAS (“TOMI”)
JENKINS,

Plaintiffs,

v.

LAWRENCE (“LARRY”) BLACKMON,

Defendant.

LAWRENCE (“LARRY”) BLACKMON,

Counterclaim Plaintiff,

v.

NATHAN LEFTENANT, ARNETT
LEFTENANT, JERYL BRIGHT, GREGORY
JOHNSON, and THOMAS (“TOMI”)
JENKINS,

Counterclaim Defendants.

Pending before the Court is Plaintiffs’ Motion for Leave to File Under Seal. ECF No. 421. Plaintiffs seek to seal the unredacted version of their Reply in Support of Plaintiffs’ Motion for Attorney’s Fees (ECF No. 420). Plaintiffs state the Reply contains confidential communication and refers to the settlement agreement. ECF No. 421 at 2.

As the party seeking to seal a judicial record, Plaintiffs must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (holding that those who seek to maintain the secrecy of documents attached to non-dispositive motions must demonstrate “good cause” supporting secrecy). However, “[this] presumption does not apply to materials filed with the court under seal subject to a valid protective order.” *Krause v. Nev. Mut. Ins. Co.*, 2013 U.S. Dist. LEXIS 98351 at *5-6 (D. Nev. July 15, 2013) (citing *Phillips v. GMC*, 307 F.3d 1206, 1213 (9th Cir. 2002)). Instead, “when a district court grants a protective order to seal documents... ‘it has already

1 determined that ‘good cause’ exists to protect this information from being disclosed to the public...”
2 *Kamakana*, 447 F.3d at 1180. The good cause standard applies here.

3 The Court finds that the unredacted version of Plaintiffs’ Reply contains confidential
4 information and should be sealed. Therefore, the Court finds Plaintiffs have demonstrated good
5 cause sufficient to grant the instant Motion. *Kamakana*, 447 F.3d at 1180.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiffs’ Motion to Seal (ECF No. 421) is
7 GRANTED.

8 IT IS FURTHER ORDERED that the Clerk of Court **must** seal the unredacted version of
9 Plaintiffs’ Reply in Support of Plaintiffs’ Motion for Attorneys’ Fees (ECF No. 420).

10 IT IS FURTHER ORDERED that the redacted version of Plaintiffs’ Reply in Support of
11 Plaintiffs’ Motion for Attorneys’ Fees (ECF No. 422) shall remain unsealed.

12 Dated this 16th day of June, 2023.

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15 ELAYNA J. YOUCHAH
16 UNITED STATES MAGISTRATE JUDGE
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